

Docket No.  
Ackrad-5

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**Single Lumen Balloon Catheter Apparatus**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on November 24, 1999 as United States Application No. or PCT International Application Number 09/449,096  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)			Priority Not Claimed
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Any attorney associated with Customer No. 28581

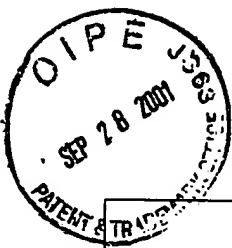
Send Correspondence to: The address associated with Customer No. 28581

Direct Telephone Calls to: *(name and telephone number)*

Arthur L. Plevy (609) 919-4402

Full name of sole or first inventor <b>Bernard Ackerman</b>
Sole or first inventor's signature <i>Bernard Ackerman</i>
Date <i>Sept. 10, 2001</i>
Residence <b>Metuchen, New Jersey</b>
Citizenship <b>United States</b>
Post Office Address <b>17 Sterling Court</b>
<b>Metuchen, New Jersey 08840</b>

Full name of second inventor, if any <b>Robert M. Landis</b>
Second inventor's signature <i>Robert M. Landis</i>
Date <i>9/10/01</i>
Residence <b>Mountainside, New Jersey</b>
Citizenship <b>United States</b>
Post Office Address <b>1130 Puddingstone Road</b>
<b>Mountainside, New Jersey 07092</b>



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In re patent of: <b>Ackerman et al.</b>	Examiner: <b>TBA</b>
U.S. Serial No.: <b>09/449,096</b>	Group Art Unit: <b>3731</b>
Filing Date: <b>November 24, 1999</b>	Attorney Docket No.: <b>Ackrad-5</b>
For: <b>SINGLE LUMEN BALLOON CATHETER APPARATUS</b>	Date:
	I CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231 <u>Sammy Q. Hatter</u> <u>September 25, 2001</u>

Assistant Commissioner for Patents  
Washington, DC 20231

### STATEMENT OF FACTS

Sir:

I, Robert M. Landis, hereby state that I am co-inventor of the above-identified patent. The inventorship of the above-identified patent was set forth in error by inadvertently omitting me as co-inventor. I hereby state that the error in inventorship occurred without deceptive intent on my part.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that the statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of The United States Code and that such willful false statements jeopardize the validity of the application or any patent issuing thereon.

Date: 9/10/01

Robert M. Landis  
Robert M. Landis

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant: Ackerman et al.Application No.: 09/449,096Filed: November 24, 1999Entitled: SINGLE LUMEN BALLOON CATHETER APPARATUSAckrad Laboratories, Inc.a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 010414, Frame 0419, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Sept 10, 2001  
Date

Bernard Ackerman  
Signature

Bernard Ackerman  
Typed or printed name

President  
Title